

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

JUAN JOHNSON, )  
Plaintiff, ) 05 C 1042  
v. ) Judge Grady  
REYNALDO GUEVARA, and the )  
CITY OF CHICAGO, )  
Defendants. )

**PLAINTIFF'S MOTION IN LIMINE NO. 12  
TO BAR REFERENCES TO A "CODE OF SILENCE" BY GANG MEMBERS  
OR OTHER GENERALIZED INSINUATIONS OF GANG MISCONDUCT**

NOW COMES Plaintiff, JUAN JOHNSON, by his counsel, and respectfully brings the following motion *in limine*.

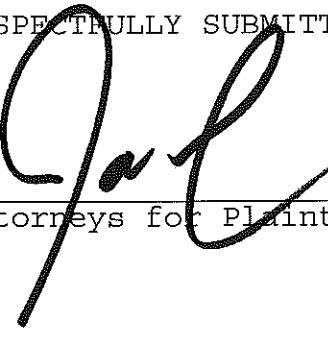
**Discussion**

In every case Plaintiffs' counsel has tried against the City, the defense files a stock motion *in limine* to bar references to a "code of silence" on the part of police officers. The reasoning is that there is no place in the trial for prejudicial stereotypes. Similarly, the City invariably files motions seeking to bar references to corruption on the part of the police department, and it filed such a motion in this case last week.

As with the prior motions *in limine*, this too must be a two-way street. Both sides should be limited to the evidence in this case, without resort to inflammatory stereotypes. Just as there is no place to distract the jury with arguments that Chicago Police Officers are corrupt members of an organization with a "code of silence," the Defendants too must be prohibited from making similar arguments about gangs.

WHEREFORE, Defendants should be barred from making reference to any "code of silence" among gang members, as well as other generalized allegations of gang-related misconduct.

RESPECTFULLY SUBMITTED,

  
Attorneys for Plaintiff

Arthur Loevy  
Jon Loevy  
Russell Ainsworth  
LOEJVY & LOEJVY  
312 North May Street, Suite 100  
Chicago, IL 60607  
(312) 243-5900

Thomas G. Gardiner  
GARDINER KOCH & WEISBERG  
53 West Jackson Blvd., Suite 950  
Chicago, Illinois 60604  
(312) 362-0000

Daniel J. Stohr  
222 North LaSalle Street  
Suite 200  
Chicago, Illinois 60601  
(312) 726-1180